

Letter to Congressional Leaders Reporting on the Burmese Freedom and Democracy Act of 2003 and the Accompanying Executive Order *July 28, 2003*

Dear Mr. Speaker: (Dear Mr. President:)

Consistent with section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA) and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have issued an Executive Order (the “Order”) that expands the sanctions against Burma currently in place pursuant to the national emergency with respect to Burma declared in Executive Order 13047 of May 20, 1997. Further, I hereby provide the notification to the Congress required by section 3(b) of the Burmese Freedom and Democracy Act of 2003 (the “Act”) regarding my exercise of the waiver authorities provided in that section.

In 1997, the United States put in place a prohibition on new investment in Burma in response to the Government of Burma’s large scale repression of the democratic opposition in that country. Since that time, the Government of Burma has rejected our efforts and the efforts of others in the international community to end its repressive activities. In May of this year, that rejection manifested itself in a brutal and organized attack on the motorcade of Aung San Suu Kyi, a Nobel Peace Prize winner and leader of the peaceful democratic opposition party in Burma, the National League for Democracy. The Government of Burma has continued to ignore our requests for her to be released from confinement, for the other National League for Democracy leaders who were jailed before and after the attack to be released, and for the offices of the National League for Democracy to be allowed to reopen.

I have now determined that this continued and increasing repression by the Government of Burma warrants an expansion of the sanctions against that government. I applaud the Congress’ efforts to address

the Government of Burma’s action. The prohibitions contained in my Order implement sections 3 and 4 of the Burmese Freedom and Democracy Act of 2003 and supplement that Act with additional restrictions.

The Order blocks all property and interests in property of the State Peace and Development Council of Burma, the Myanma Foreign Trade Bank, the Myanma Investment and Commercial Bank (MICB), and the Myanma Economic Bank as well as all property and interests in property of persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to be senior officials of the Government of Burma, the State Peace and Development Council of Burma, the Union Solidarity and Development Association of Burma, or any successor entity to any of the foregoing; or to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any of the foregoing. The Order also prohibits the exportation or re-exportation of financial services to Burma either from the United States or by any United States person and, 30 days from the effective date of the Order, the importation into the United States of any article that is a product of Burma.

The Department of the Treasury, in consultation with the Department of State, will implement a remittance program authorizing limited personal transfers of funds and will authorize most transactions relating to humanitarian, educational, and official United States Government activities. Additionally, the Order grandfathers any activity, or transactions incident to any activity, other than the import of any products of Burma, undertaken pursuant to any agreement that was entered into by a United States person with the Government of

Burma or a nongovernmental entity in Burma prior to May 21, 1997, the effective date of Executive Order 13047.

I have determined that the waiver of the prohibitions described in section 3 of the Burmese Freedom and Democracy Act of 2003 with respect to any or all articles that are a product of Burma is in the national interest of the United States to the extent that prohibiting the importation of such articles would conflict with the international obligations of the United States under the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations, the United Nations Headquarters Agreement, and other legal instruments providing equivalent privileges and immunities. In addition, in the exercise of my constitutional authorities under Article II of the Constitution to conduct the foreign relations of the United States, I will construe the Act in a manner that will in no way impair the existing ability of United States diplomatic and consular officials to import articles that are a product of Burma that are necessary to the performance of their functions as United States Government officials in Burma.

The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to issue regulations in the exercise

of authorities under the International Emergency Economic Powers Act and sections 3(a) and 4 of the Burmese Freedom and Democracy Act of 2003, other than the authority to make the determinations and certification to the Congress that Burma has met the conditions described in section 3(a)(3), to implement the measures provided in the Order. The Secretary of State is also authorized to exercise the functions and authorities conferred upon the President by section 3(b) of the Burmese Freedom and Democracy Act of 2003. All Federal agencies are directed to take actions within their authority to carry out the provisions of the Order.

I have enclosed a copy of the Executive Order I have issued. This Order becomes effective at 12:01 a.m. eastern daylight time on July 29, 2003.

Sincerely,

GEORGE W. BUSH

NOTE: Identical letters were sent to J. Dennis Hastert, Speaker of the House of Representatives, and Richard B. Cheney, President of the Senate. H.R. 2330, approved July 28, was assigned Public Law No. 108-61. The Executive order of July 28 is listed in Appendix D at the end of this volume.

The President's News Conference With Prime Minister Ariel Sharon of Israel

July 29, 2003

President Bush. Good day. I'm pleased to welcome Prime Minister Ariel Sharon back to the White House. I think you said this is our eighth meeting—

Prime Minister Sharon. Eighth meeting here.

President Bush. Eighth meeting in Washington. That should indicate to everybody that our nations have a deep and abiding friendship. America is firmly committed to

the security of Israel as a Jewish state, and we are firmly committed to the safety of the Israeli people. We have now a tremendous opportunity to add to Israeli security and safety and add to the hopes of the average Palestinian citizen by making tangible progress towards two states living side by side in peace.

Last month's Red Sea Summits in Egypt and Jordan gave momentum to that